

Notice of Allowability

Application No.

10/042,794

Examiner

John J. Romano

Applicant(s)

BELL ET AL.

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Board Decision mailed 3/06/2007.
2. ☒ The allowed claim(s) is/are 13 and 17 (renumbered 1 and 2).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

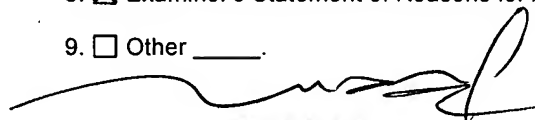
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TUAN DAM
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. This examiner's amendment is in response to the board decision, Affirmed-in-part, mailed March 6th, 2007. The Board of Patent Appeals and Interferences affirmed the rejection(s) to claims 1-11, 14-16, 18-23, 25 and 29-31, including independent claim 10, but reversed all rejections against dependent claim(s) 12, 13, and 17. Hence, claim 13, in combination with claim 12, has been converted into independent form, and claim 17 also has been converted into independent form that includes intervening claim 16. – MPEP 1214.06(I)(B)(1).

The application has been amended as follows:

IN THE CLAIM,

Please cancel claims 1-12, 14-16, 18-23, 25 and 29-31, and amend claims 13 and 17 as follows:

Claim 13. (Currently Amended)

A computer program product for migrating configuration data from a first executable code to a second executable code, the computer program product comprising:

computer readable storage medium having computer readable program code embodied in said medium, the computer readable program code comprising:

computer readable program code configured to receive a command from an external agent, wherein the external agent is a system scheduler that issues [the command] a scripted command, through execution of a batch file at a pre-determined time[.];

computer readable program code configured to obtain, responsive to the received command, configuration data available to the first executable code which is useful to the second executable code;

computer readable program code configured to arrange the data according to a format usable by the second executable code; and

computer readable program code configured to write the data to one or more external media for access by the second executable code.

Claim 17. (Currently Amended)

A computer program product for migrating configuration data from a first executable code to a second executable code, the computer program product comprising:

computer readable storage medium having computer readable program code embodied in said medium, the computer readable program code comprising:

computer readable program code configured to receive a command from an external agent;

computer readable program code configured to obtain, responsive to the received command, configuration data available to the first executable code which is useful to the second executable code, wherein the configuration data is obtained from one or more internal control blocks accessible by the first executable code, wherein the internal control blocks were constructed by the first executable code using configuration files and command line parameters[.];

computer readable program code configured to arrange the data according to a format usable by the second executable code; and

computer readable program code configured to write the data to one or more external media for access by the second executable code.

----- End -----

Allowable Subject Matter

3. Claims 13 and 17 are allowed (renumbered 1 and 2).

4. The following is an examiner's statement of reasons for allowance:

As per the board decision, mailed March 6th, 2007, claims 13 and 17 are allowed as addressed above in the examiners amendment.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John J. Romano whose telephone number is (571) 272-3872. The examiner can normally be reached on 8-5:30, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JJR



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